

DISPOSITION: June 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### DRUGS FOR VETERINARY USE

**1940. Misbranding of Blackturk. U. S. v. Alphonse LaRochelle (Stone Ridge Turkey Farm). Plea of guilty. Fine, \$500. Defendant placed on probation for 2 years. (F. D. C. No. 15586. Sample Nos. 59971-F, 81333-F.)**

INFORMATION FILED: January 8, 1946, District of Minnesota, against Alphonse LaRochelle, trading as the Stone Ridge Turkey Farm, Crookston, Minn.

ALLEGED SHIPMENT: On or about May 1 and November 2, 1944, from the State of Minnesota into the States of Indiana and Kansas.

LABEL, IN PART: "Blackturk Black Head Cure For Turkeys."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements, "Black Turk Blackhead Cure for Turkeys \* \* \* Treats 100 Small or Adult Turkeys \* \* \* This will cure blackhead in turkeys," borne on the bottle label, and certain statements contained in an accompanying circular entitled "Blackturk Blackhead Cure For Turkeys," were false and misleading. They represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of blackhead in turkeys, hexamitiosis, trichomoniasis, typhoid, paratyphoid, and coccidiosis in poults and older turkeys. The article would not be efficacious for the purposes represented and suggested.

DISPOSITION: June 4, 1946. A plea of guilty having been entered, the defendant was fined \$500 on count 1. He was placed on probation for 2 years on count 2, on condition that he desist from the manufacture of the product.

**1941. Misbranding of Blake's Stop-Bloat Chemicals. U. S. v. 10 Cartons of Blake's Stop-Bloat Chemicals. Tried to the court. Decree of condemnation and destruction. (F. D. C. No. 16629. Sample No. 26585-H.)**

LABEL FILED: June 21, 1945, District of Wyoming.

ALLEGED SHIPMENT: On or about May 15, 1945, by the Hy-Life Mineral Co., from Denver, Colo.

PRODUCT: 10 cartons of *Blake's Stop-Bloat Chemicals* at Greybull, Wyo. Examination showed that the product consisted essentially of ammonium chloride, potassium chlorate, calcium carbonate, sodium sulfate, iron oxide, and a small amount of anise, sand, and plant material, including tobacco.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements and design on the carton label, and further similar statements on the carton and in a circular entitled "Blake's Stop-Bloat Chemicals" and a display card entitled "Keep 'Em Alive! with Blake's Stop-Bloat," which accompanied the article, were false and misleading: "Keep 'Em Alive [picture of two animals dead from bloating] Blake's Stop-Bloat Chemicals A chemical preparation designed to treat live-stock against bloating while in Green Alfalfa, Clover, Larkspur, and Sneezeweed ranges, as well as sheep and cattle on barley or other grain feeds, in feed lots. \* \* \* How To Use Blake's Stop-Bloat 1. Mix entire contents of this package thoroughly with 100 lbs. of fine salt and remove all other salt. Place this mixture in convenient areas where stock may have easy access to it." The labeling referred to represented and suggested that the article, when used as directed, would be effective in the prevention of bloating of livestock. The article, when used as directed, would not be effective for such purposes.

DISPOSITION: On December 20, 1945, the Hy-Life Mineral Co. having appeared as claimant, the case came on for trial before the court, without a jury. After the witnesses present had testified, the case was continued by stipulation in order to obtain the evidence of two other witnesses, and it came on again on February 28, 1946. After hearing the two witnesses and arguments of counsel, the court took the case under advisement, and on March 11, 1946, handed down findings of fact and conclusions of law in favor of the Government. On March 11, 1946, judgment was entered condemning the product and ordering that it be destroyed.

**1942. Misbranding of Blake's Stop-Bloat Chemicals. U. S. v. 18 Cartons of Blake's Stop-Bloat Chemicals. Default decree of condemnation and destruction. (F. D. C. No. 19170. Sample No. 27100-H.)**

LABEL FILED: February 13, 1946, District of Nebraska.

ALLEGED SHIPMENT: On or about March 19, 1945, by the Hy-Life Mineral Co., from Denver, Colo.

**PRODUCT:** 18 cartons of *Blake's Stop-Bloat Chemicals* at Morrill, Nebr.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the article, which was of the same composition as the article involved in the case reported in notices of judgment on drugs and devices No. 1941, bore in its labeling the same false and misleading statements and design.

**DISPOSITION:** May 27, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1943. Misbranding of Heberlings Poultry Wormer Flock Treatment. U. S. v. 1,536 Packages of Heberlings Poultry Wormer Flock Treatment. Default decree of condemnation and destruction. (F. D. C. No. 19672. Sample No. 34962-H.)**

**LIBEL FILED:** April 15, 1946, Southern District of Illinois.

**ALLEGED SHIPMENT:** On or about January 17, 1945, by the J. R. Watkins Co., from Winona, Minn.

**PRODUCT:** 1,536 6-ounce packages of *Heberlings Poultry Wormer Flock Treatment* at Bloomington, Ill. Analysis of a sample showed that the product consisted essentially of nicotine, 5 percent, incorporated in inert material such as aluminum silicate, oxides of calcium, magnesium, iron, silicon, and sodium.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the following statements on the package label were false and misleading: "Poultry Wormer Flock Treatment \* \* \* Sufficient for: \* \* \* 300 young chickens \* \* \* Directions For Using Heberlings Poultry Wormer \* \* \* For 25 Young Chickens \* \* \* One-half ounce (two level tablespoonfuls) Wormer mixed with half pound of mash. \* \* \* Mix the Poultry Wormer." The statements represented and suggested that the article would be an effective wormer for all species of worms which infest poultry, whereas it was not an effective wormer for all species of worms which infest poultry and, when used as directed, it would not be an effective wormer for any species of worms which infest chickens.

**DISPOSITION:** June 24, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1944. Misbranding of Natronox. U. S. v. 81 Packages of Natronox. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19730. Sample No. 53123-H.)**

**LIBEL FILED:** May 2, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 4, 1946, by the Pitman-Moore Co., from Indianapolis, Ind.

**PRODUCT:** 81 5-pound packages of *Natronox* at Columbus, Ohio. Analysis disclosed that the product was a strongly alkaline, purple-colored, granular mixture consisting of carbonates, thiosulfate, copper sulfate, phenol, methylene blue, chlorides, and aromatics.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented and suggested that the article would be effective in the treatment and prevention of gastro-intestinal inflammations, diarrhea, and intestinal infections of animals. The article would not be effective for such purposes.

**DISPOSITION:** May 22, 1946. The Pitman-Moore Co., Division of Allied Laboratories, Inc., Indianapolis, Ind., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**1945. Misbranding of condensed buttermilk. U. S. v. 25 Barrels of Condensed Buttermilk, and a number of pamphlets. Default decree of condemnation. Product ordered sold. (F. D. C. No. 17571. Sample No. 22189-H.)**

**LIBEL FILED:** September 19, 1945, Eastern District of Illinois.

**ALLEGED SHIPMENT:** The product was shipped by the Merchants Creamery Co., from Cincinnati, Ohio, on or about July 10, 1945. The pamphlets were shipped by mail during the month of February 1945.

**PRODUCT:** 25 barrels of *condensed buttermilk* at Mattoon, Ill., and a number of pamphlets entitled "Blue Ribbon Condensed Milk." Examination of a sample of the product disclosed that it contained 6.70 percent of protein.